

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Senate Bill 461 be amended to read as follows:

- 1 Page 1, between lines 14 and 15, begin a new paragraph and insert:
- 2 "SECTION 3. IC 13-11-2-233.5 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: **Sec. 233.5. For purposes of**
- 5 **IC 13-20-2-9, "tract" has the meaning set forth in IC 6-1.1-1-22.5."**
- 6 Page 3, between lines 23 and 24, begin a new paragraph and insert:
- 7 "SECTION 5. IC 13-20-2-9 IS ADDED TO THE INDIANA CODE
- 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
- 9 UPON PASSAGE]: **Sec. 9. (a) This section applies to a landfill for**
- 10 **which an application for an original permit for construction or**
- 11 **operation is:**
- 12 (1) filed after February 28, 2002;
- 13 (2) filed before March 1, 2002, but not granted or denied by the
- 14 commissioner before March 1, 2002; or
- 15 (3) filed and granted by the commissioner before March 1,
- 16 2002, but for which an appeal of the commissioner's action in
- 17 granting the permit is pending on March 1, 2002.
- 18 (b) The solid waste boundary of a landfill may not be located
- 19 within one (1) mile of a public school classroom building that is
- 20 served by a well as the primary source of drinking water. The
- 21 measurement required by this subsection is made from the point on
- 22 the building that is nearest to the solid waste boundary of the
- 23 landfill.
- 24 (c) A public school classroom building that is served by a well as

1 the primary source of drinking water may not be constructed
2 within one (1) mile of the property line of a contiguous tract on
3 which a landfill is located. The measurement required by this
4 subsection is made from the point on the school building that is
5 nearest to the property line of the landfill tract.

6 (d) The commissioner shall deny an application for an original
7 permit for the construction or operation of a landfill if the
8 commissioner finds that the proposed landfill does not comply with
9 the requirements of this section.

10 (e) The solid waste management board may adopt rules under
11 IC 4-22-2 to administer this section."

12 Renumber all SECTIONS consecutively.

(Reference is to ESB 461 as printed February 22, 2002.)

Representative Ayres